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## South Florida Water Management District

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### GOVERNING BOARD MONTHLY MEETING AGENDA

November 8, 2018

9:00 AM

Robert and Judi Prokop Newman Alumni Center  
University of Miami  
Coral Gables, FL 33146

#### DRAFT

1. Call to Order - Federico E. Fernandez, Chairman, Governing Board
2. Pledge of Allegiance - Federico E. Fernandez, Chairman, Governing Board
3. Agenda Revisions - Tia Barnett
4. Agenda Item Abstentions by Board Members
5. Big Cypress Basin Board Report - Rick Barber, Chairman
6. Water Resources Analysis Coalition (WRAC) Report - Brandon Tucker, Facilitator
7. Governing Board Committee Reports
  - Project & Lands Committee - Melanie Peterson, Chairman
8. Consider Approval of the Minutes for the October 11<sup>th</sup> Governing Board Meeting

#### **Consent Agenda**

9. Public Comment on Consent Agenda Items
10. Board Comment on the Consent Agenda
11. Move Consent Agenda Items to Discussion Agenda
12. Regulatory Consent Agenda (Staff contact, Jill Creech, ext. 6814)

#### **Agenda Item Background: Osceola County**

AV Homes Inc. requests a partial release of 9.453 acres of a 49.449-acre conservation easement for a project known as Solivita Phase 5 in Osceola County. The area to be released was recorded in error and no mitigation is required.

#### **Recommended Action:**

Approve a partial release of a recorded conservation easement for a project known as Solivita Phase 5. (Permit No. 49-00094-S, Application No.: 180822-8)

13. Release of Reservations (Staff contact, Stephen M. Collins, ext. 2959)

**Agenda Item Background:**

The District has certain reserved rights to construct canal and road right of ways, and mineral rights, together with the right of ingress, egress and exploration. Applications requesting releases of these reservations are routinely received from landowners, attorneys, title companies and lending institutions, because the reservations represent clouds on title. Applications are reviewed by both District staff and local governmental agencies to determine that there is no present or future need for the reservations. The District also reviews and determines that there is no District or local government need for canal reservations held by the Board of Trustees of the Internal Improvement Trust Fund (TIITF) prior to a release being issued by TIITF.

**Staff Recommendation:**

Staff recommends approval of the following:

**Palm Beach County**

- Approve release of TIITF canal reservations for ASAP Installations, LLC (File No. 10-18-2) for 6.93 acres
- Release District canal reservations and issue a non-use commitment for Henry's Holdings, Inc. (File Nos. 18804 and NUC 1761) for 2.0 acres; release value \$1,942.85 (paid)
- Release District canal reservations and issue a non-use commitment for James J. Henry and Elona I. Henry, as Co-Trustees (File Nos. 18806 and NUC 1762) for 5.29 acres; no release value; homestead property)

**Miami-Dade County**

- Approve release of TIITF canal reservations for Countyline Building 4, LLC (File No. 9-18-1) for 10.77 acres
- Approve release of TIITF canal reservations for Countyline I, LLC (File No. 10-18-1) for 84.81 acres

**Recommended Action:**

**Resolution No. 2018 - 1101 Release canal reservations, and issue non-use commitments.**

14. Release a portion of C-4 Canal Right of Way in Miami-Dade County (Staff contact, Stephen M. Collins, ext. 2959)

**Agenda Item Background:**

Release 0.30 acres of the C-4 canal right of way for residential purposes. The landowner has constructed a portion of their residence, a terrace and other existing backyard structures in the right of way area, and this release will resolve those encroachments not allowed under a Right of Way Occupancy Permit.

**Recommended Action:**

**Resolution No. 2018 - 1102 Release right of way interests containing 0.30 acres, more or less, at appraised value, C-4 canal right of way located in Section 3, Township 54 South, Range 40 East, Miami-Dade County, subject to satisfaction of certain terms, conditions and requirements.**

15. Exchange of Canal Easements, Hillsboro Canal (Staff contact, Stephen M. Collins, ext. 2959)

**Agenda Item Background:**

Release 0.08-acre portion of the Hillsboro Canal right of way easement in exchange for a new 0.19-acre canal right of way easement clarifying the District's interest. This exchange is consistent with previous similar exchanges that have occurred within this reach of the Hillsboro Canal.

**Recommended Action:**

**Resolution No. 2018 - 1103 Release a portion of a canal right of way easement containing 0.08 acres, more or less, in exchange for a canal right of way easement containing 0.19 acres, more or less, Hillsboro Canal, Lot 28A, Block 8, HILLSBORO PINES, SECTION "B", Plat Book 43, page 20, in Section 31, Township 47 South, Range 42 East, Broward County.**

16. Exchange of Easements within the C-4 Canal Project (Staff contact, Stephen M. Collins, ext. 2959)

**Agenda Item Background:**

The District will release 0.08 acres, more or less, of canal easement within the C-4 canal project in exchange for a new canal easement containing 0.22 acres, more or less, subject to terms, conditions, and requirements. Applicant has paid a \$1,000 application fee and will pay all fees and costs associated with the exchange.

**Recommended Action:**

**Resolution No. 2018 - 1104 Release a portion of a canal right of way easement containing 0.08 acres, more or less, in exchange for a canal right of way easement containing 0.22 acres, more or less, C-4 (Tamiami Canal) Project, located in Section 5, Township 54 South, Range 40 East, Miami-Dade County.**

17. Exchange of Fee Interests of Tracts in Hendry County (Staff contact, Stephen M. Collins, ext. 2959)

**Agenda Item Background:**

A no cost exchange of the fee interest in a 2.5-acre District parcel (GX100-030), and a 0.3-acre permanent access easement (GX10E-007), for fee interest in a 5.2-acre section of a water supply canal (GX10E-028), which is needed during the construction and long-term operation of the C-43 Project to offset construction costs estimated at approximately \$750,000.

**Recommended Action:**

**Resolution No. 2018 - 1105 Exchange the fee interest in a 2.5-acre tract and a 0.3-acre access easement for fee interest in a 5.2-acre canal in Hendry County.**

18. Cattle Grazing Reservation Extensions (Staff contact, Stephen M. Collins, ext. 2959)

**Agenda Item Background:**

Issue new 5-year cattle grazing leases for existing grazing reservations expiring on December 31, 2018, on 3,065 acres located within the Kissimmee River Restoration Project, Upper Chain of Lakes, to remain consistent with the planned implementation of the

Kissimmee River Restoration Headwaters water elevation regulation schedule. The leases will limit the cattle grazing to a low-density carrying capacity of one (1) animal unit per 10 acres.

**Recommended Action:**

**Resolution No. 2018 - 1106 Issue new 5-year cattle grazing leases for cattle grazing reservations expiring on December 31, 2018, on 3,065 acres, more or less, in Osceola and Polk counties.**

19. District Lands within Miami-Dade County (Staff contact, Stephen M. Collins, ext. 2959)

**Agenda Item Background:**

Staff is seeking approval to issue a 5-year row crop lease on 139.88 acres in Miami-Dade County in the C-111 South Dade Project. The property was acquired as buffer lands for the C-111 project, and row crop farming is an effective land management tool in controlling exotic vegetation. The lease award is based on a competitive bid process, and the highest bid was submitted by the J & C Farms & Groves, LLC in the annual amount of \$55,952.

**Recommended Action:**

**Resolution No. 2018 - 1107 Issue a 5-year row crop lease of 139.88 acres, more or less, in Miami-Dade County with the J & C Farms & Groves, LLC. (Contract Number 4600003904)**

20. Orange County Land Acquisition, Shingle Creek, Tract No. 26103-055 (Staff contact, Stephen M. Collins, ext. 2959)

**Agenda Summary**

This is a proposed acquisition of 1.23 acres from James K. Downey, a willing seller within the Shingle Creek Project Area in the amount of \$34,440, which is below the appraised value of \$49,000. The proposed acquisition will be funded by the Wetland Mitigation Fund and the seller is responsible for all closing costs.

**Recommended Action:**

**Resolution No. 2018 - 1108 Acquire land interests containing 1.23 acres, more or less, in the amount of \$34,440, located in the Shingle Creek Project Area in Orange County.**

21. Picayune Strand Restoration Project, Fakahatchee Strand State Park Component, Collier County (Staff contact, Stephen M. Collins, ext. 2959)

- A. Request Funds from the Land Acquisition Trust Fund for Purchase of Tract SG100-050

**Agenda Item Background:**

Approval to request Land Acquisition Trust Funds from the Department of Environmental Protection for the acquisition of Tract SG100-050 containing approximately 2.50 acres at a purchase price of \$25,000 from a willing seller. Tract SG100-050 is located within the Fakahatchee Strand State Park Component of the Picayune Strand Restoration Project in Collier County; acquisition of this Tract furthers the Florida Forever objectives.

**Recommended Action:**

**Resolution No. 2018 - 1109 Advise the Department of Environmental Protection of an acquisition of land interests containing 2.50 acres, more or less, Tract SG100-050 in the**

**amount of \$25,000, together with associated costs, from the Land Acquisition Trust Fund, located in the Picayune Strand Restoration Project, Fakahatchee Strand State Park Component, Collier County.**

- B. Acquire 2.50 acres within Picayune Strand Restoration Project, Tract SG100-050

**Agenda Item Background:**

This is a proposed acquisition of Tract SG100-050, located in the Picayune Strand Restoration Project, Fakahatchee Strand State Preserve Component, totaling approximately 2.50 acres in the amount of \$25,000, which represents the appraised value.

**Recommended Action:**

**Resolution No. 2018 - 1110 Acquire land interests containing 2.50 acres, more or less, in the amount of \$25,000, located in the Picayune Strand Restoration Project, Fakahatchee Strand State Preserve Component, in Collier County.**

22. S-12B Structure Downstream Maintenance Agreement with the Miccosukee Tribe of Indians (Staff contact, Armando Ramirez, ext. 6684)

**Agenda Item Background:**

The S-12B structure, located in Miami-Dade County, was placed into service along the L-29 Canal to allow sheet flow from Water Conservation Area (WCA) 3A south into the western portions of Shark River Slough. Sediments and vegetation have accumulated near and downstream of the S12-B structure in the discharge channel impeding the flow of water from the outfall structure. District staff is seeking approval to enter into a no cost Memorandum of Understanding (MOU) with the Miccosukee Tribe of Indians of Florida for the one-time removal of vegetation and sediment south of the S-12B structure to enhance hydrologic conveyance and connectivity between WCA-3A, the Miccosukee Reserve Area and Everglades National Park.

**Recommended Action:**

**Resolution No. 2018 - 1111 S-12B Structure Downstream Maintenance Agreement with the Miccosukee Tribe of Indians**

23. Board Vote on Consent Agenda

24. Board Comment

**Discussion Agenda**

25. Technical Reports

A. Water Conditions Report - John P. Mitnik

B. Ecological Conditions Report - Terrie Bates

26. Sea Level Rise Update (Staff contact, Akin Owosina, ext. 2924)

**Agenda Item Background:**

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27. Water Year 2018 - Southern Everglades Water Quality Overview (Staff contact, Stuart Van Horn, ext. 6628)

**Agenda Item Background:**

Staff will present an overview of the total phosphorus requirements and trends for the Southern Everglades with updated data through Water Year 2018, along with a contrast of current and historic conditions. The information contained in this presentation is published in a consolidated annual report which summarizes progress with restoration efforts and water quality conditions throughout the South Florida Ecosystem in keeping with statutory reporting requirements. The current annual report (South Florida Environmental Report 2019) is available to the public in draft form and provides an update on such progress.

28. 2018 Lower East Coast Water Supply Plan Update (Staff contact, Mark Elsner, ext. 6156)

**Agenda Item Background**

Regional water supply plans, updated at least every five years, identify sustainable water supply for all water uses while protecting water resources and related natural systems. The proposed 2018 Lower East Coast (LEC) Plan, covering all of Palm Beach, Broward, and Miami-Dade counties, most of Monroe County and portions of Hendry and Collier counties, provides demand projections through 2040, and identifies sources and strategies to meet these demands. The plan incorporates a summary of water supply project options for this region. The 2018 LEC Plan Update concludes that with appropriate management, conservation and implementation of projects identified in the LEC Plan, there are sufficient sources to meet the projected water needs of this region. The 2018 LEC Plan Update was developed in an open public forum. Approval of the Plan Update will trigger actions by local governments, in coordination with utilities, to consider these recommendations for incorporation into their required 10-Year Facilities Work Plan.

**Recommended Action:**

**2018 Lower East Coast Water Supply Plan Update**

29. PLACEHOLDER: EAA Lease (Staff contact, Stephen M. Collins, ext. 2959)

**Recommended Action:**

**Resolution No. 2018 - 1112 EAA Lease (Staff contact, Stephen M. Collins, ext. 2959)**

30. General Public Comment

31. Board Comment

**Staff Reports**

32. Monthly Financial Report - Dorothy Bradshaw
33. General Counsel's Report - Brian Accardo
34. Executive Director's Report - Ernie Marks
35. Adjourn

**Attorney Client Session – TBD**

*Members of the public wishing to address the Governing Board on agenda items which require a vote are to complete a Public Comment Card and submit the card to the front desk attendant. You will be called by the Board Chairman or designee to speak. Governing Board policy limits comments from the public to 3 minutes unless otherwise determined by the Governing Board Chairman. Unless otherwise determined by the Chairman, Board action on Consent Agenda items moved to the discussion agenda will occur at or after 9:00 a.m. on Thursday.*